REMARKS/ARGUMENTS

Reconsideration of this application is requested in conjunction with the concurrently filed RCE.

The rejection of all claims 1-16 under 35 U.S.C. §102 as allegedly anticipated by the newly cited Kemink '430 reference is respectfully traversed.

In light of this newly cited reference, applicant has cancelled earlier claims 1-16 in favor of new claims 17-46. In this way, applicant's claims now more clearly define over Kemink.

The applicant's invention involves a mobile user interface for use in a teleconferencing session. The user interface includes a physical context detector and responds to the output of the detector. Thus, if the physical detector detects that the user is moving, the video output on the mobile device may be turned off in favor of audio output only.

The Kemink apparatus is a universal (remote) control device (100) which works with devices (210) within the sphere of control of the control device (column 1, lines 24 to 33). Column 3, lines 15 to 52 describes how such a control device communicates with a local information source (140) or a remote information source (240) to obtain context-related information.

1035681

The respective purpose of Kemink is quite different from applicant's, as the problem being solved in each case is different. Kemink is concerned with the user having to juggle a large number of control devices with possibly extraneous and irrelevant controls, for the management of information (column 1, lines 66 to column 2, line 11). The proposed solution seeks to optimize/customize the device for use within the home or office to "provid[e] maximal utility ... with a minimum of user-interaction" (column 2, lines 5 to 11).

The applicant's invention is concerned with quite a different problem. In a teleconference - which can be defined as "the live exchange of information among persons and machines remote from one another but linked by a telecommunications system" (source: Wikipedia) - the participants are separated from each other and lose from the interaction the secondary information imparted by body language and the like. When a participant is mobile, "real world" matters can draw the mobile participants" attention away from the conference (page 5, lines 18 to 24), and/or make it difficult for the mobile participant to interact with the participants in a particular way (page 9, lines 15 to 21).

The applicant's solution to these problems involves, for example:

(i)   configuring the device with which the mobile participant participates in the teleconference, so that it automatically adjusts its output in reaction to the

"real world" attributes within which the mobile participant is operating. So the device could

switch between output modes, e.g., visual to audio (page 9, lines 15 and 16)

increase the volume of audio output when the mobile participant's environment gets noisy (page 9, lines 18 to 21); and/or

(ii)   representing the mobile participant to the other participants so they can know that the mobile participant is unable to fully participate in the teleconference, e.g., he is distracted (page 5, lines 19 to 21), or not alone (page 4, line 33 to page 5, line 6). In the invention, an avatar representing the mobile participant is modified according to the situation (page 4, lines 20 to 22, and page 5, lines 5 and 6, Figures 4 to 7).

An exemplary solution is implemented by including within the device (page 5, lines 34 onwards; Figure 3a) an interface (21) having sensors (50) which obtain information about the mobile participant's "real world" environment. The information is analyzed (page 7, line 27 to 30, page 8, line 30 to page 9, line 4) and the resulting output triggers the device to drive the changes described in (i) and (ii) above.

In Kemink, control device changes are triggered by changes in location (column 3, lines 7 to 14) - and only by location. Locational information is obtained from information sources (140, 240). The information can be obtained by the methods and

- 14 -

1035681

means described in column , lines 21 to 28. They can also be input into the information sources, e.g., floor plan diagrams (column 3, line 46). The location parameter (131) can comprise absolute or relative location information (column 3, lines 3 to 7).

The process of obtaining location information in Kemink involves no "reading" of an attribute of the environment, intelligent analysis thereof, and then outputting something which effects a change in the device. In particular, there is no description of the use of something like a Hidden Markov Model (cf. in applicant's specification, page 8, lines 30 onwards) to deal with the complexities of physical data. There is no need for Kemink to do so, as all that is required is simple locational information.

It is noted that while it is possible for the information sources (140, 240) to include non-locational information, these do not trigger changes in the device. These comprise supplementary information such as electronic appliance information (column 3, line 62), television program listings (column 4, lines 15 to 18), time or dates (column 4, line 39), recipes (column 9, line 55) or lists of restaurants (column 10, lines 38).

New claim 17 now requires a mobile user's representation in a virtual meeting to change, e.g., the mobile user's avatar shows that he is "distracted". New claim 20 covers the change in output modality, e.g., the output to the mobile user can switch from audio to video or vice versa depending upon signal reception quality.

1035681

Claims 17 and 20 cannot possibly be anticipated by Kemink.

New claim 35 is directed to a mobile device having the capabilities of both claims 17 and 20. Claim 38 covers the QoS aspect of the invention. Claim 39 is a systems claim covering the mobile device/user interface/computer arrangement shown in Figure 3a. The user interface clearly can be part of the mobile device (page 2, lines 15 and 16), hence in claims 17-38 the mobile device (11) is said to include the various functions which in Figure 3a are assigned to the user interface (21). Claim 40 is for a system comprising only the mobile device and the computer (no user interface). Claims 43 to 45 are method claims respectively for "communication" and for "conducting a teleconference".
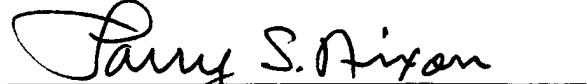
Claims 24 to 31 cover various environmental and physical attributes.

Accordingly, this entire application is now believed to be in allowable form and a formal Notice to that effect is respectfully solicited.

Respectfully submitted,

NIXON & VANDERHYE P.C.

By: Larry S. Nixon
Reg. No. 25,640

LSN:vc
901 North Glebe Road, 11th Floor
Arlington, VA 22203-1808
Telephone: (703) 816-4000
Facsimile: (703) 816-4100

- 16 -

1035681